

REMARKS

Reconsideration and allowance of this application are respectfully requested. Claims 1-3, 6-8, 11, 14, 15 and 17-19 are pending in the application. By this communication, claims 4, 5, 9, 10, 12, 13 and 16 are cancelled without prejudice or disclaimer to the underlying subject matter. Claims 1, 2, 6, 7, 8, 11, 14, 15, 17 and 18 are amended and claim 19 is added. Support for the amended subject matter can be found, for example, in paragraphs [0015] - [0018] of Applicants' disclosure.

In numbered paragraph 3 on page 2 of the Office Action, the Examiner alleges that the Information Disclosure Statement filed on July 31, 2006 fails to comply with 37 CFR §1.98(a)(2). In an attempt of address this matter, Applicants have attached a legible copy of EP0869697 for the Examiner's consideration.

In numbered paragraphs 4-9 variously appearing on pages 2-5 of the Office Action, claims 2, 4, 6, 8, 9 and 11-18 were variously rejected under 35 U.S.C. §112, first paragraph, for alleged non-enablement. Applicants respectfully traverse these rejections.

Regarding claims 2, 4, 8, 9, 12, 13, and 16, as explained in paragraph [0021] of Applicants' disclosure, a thermal load may be represented in range of 0 to 2.4, for example. More particularly, the thermal load may have a zero value. In paragraph [0022], the calculated thermal load is saved as parameter *thFract* and employed in the calculation on the next iteration. When the motor M is started from cold state, it begins to warm up [paragraph [0023]]. In the same way, the calculated thermal load increases as a function of time. Thus, one of ordinary skill would understand that the motor is cold and the thermal load is zero (0) at start up. Therefore, at the first

calculation of the thermal load, the previous (first) thermal load is zero, i.e. *thFract* = 0.

Regarding claims 6, 11, 14, 15, 17 and 18, the variable *t6* is defined as a "trip-class factor *t6*". In paragraph [0017] of Applicants' disclosure, ". . . a trip-class factor *t6*, is defined as indicating the longest starting time set on the motor relative to the actual starting time of the motor".

Based on the foregoing reasons, Applicants respectfully submit that the subject claims are enabled by the specification. Claims 4, 5, 9, 10, 12, 13 and 16 are cancelled without prejudice. Applicants request, therefore, that the rejections under 35 U.S.C. §112, first paragraph, be withdrawn.

In numbered paragraph 10 on page 5 of the Office Action, claims 1-18 were rejected under 35 U.S.C. §112, second paragraph, for alleged indefiniteness. Applicants respectfully traverse this rejection. However, in an effort to expedite prosecution the subject claims have been either cancelled without prejudice or amended, thereby rendering this rejection moot. Withdrawal is therefore respectfully requested.

In numbered paragraph 11 beginning on page 7 of the Office Action, claims 1, 4, 5, 7, 9, 10 and 12-18 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Libert* (U.S. 4,796,142) in view of *Onaga et al* (U.S. 4,807,153).

Applicants respectfully traverse this rejection. However, in an effort to expedite prosecution Applicants' claims are amended to recite, in part, that a processor system employing 32-bit fixed point arithmetic. As acknowledged by the Examiner, this feature is neither taught nor suggested by the combination of the

Libert and *Onaga* patents (see Office Action, pg. 8, last full paragraph). By virtue of the foregoing amendment, Applicants request that this rejection be withdrawn.

CONCLUSION

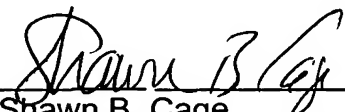
Based on the foregoing amendments and remarks, Applicants respectfully submit that pending claims 1-3, 6-8, 11, 14, 15, and 17-19 are allowable and this application is in condition for allowance. In the event any unresolved issues remain, the Examiner is invited to contact Applicants' representative identified below.

Respectfully submitted,

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